

[Signature]
Docket No.: 42P15769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

ERIC DEBES, ET AL.

Application No.: 10/611,621

Filed: June 30, 2003

For: **METHOD AND APPARATUS FOR
PERFORMING MULTIPLY-ADD
OPERATIONS ON PACKED DATA**

Art Group: 2193

Examiner: David H. Malzahn

Confirmation No.:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a final Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

07/19/2007 AAHMADI 00000001 022666 10611621
01 FC:1806 180.00 DA

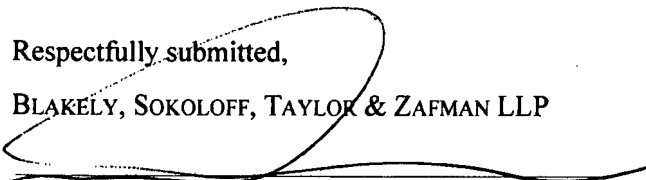
The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Date: July 16, 2007


Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


Daniel M. DeVos, Reg. No. 37,813

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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Debbie Casias

07-16-07

Date



TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/611,621
		Filing Date	June 30, 2003
		First Named Inventor	Eric Debes
		Art Unit	2193
		Examiner Name	David H. Malzahn
Total Number of Pages in This Submission	11	Attorney Docket Number	42P15769

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Second Notification of Related Litigation; Notice of Other Patents and Patent Applications; Copies of Cited Art; Return Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Daniel M. DeVos, Reg. No. 37,813 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 16, 2007

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Debbie Casias		
Signature		Date	July 16, 2007

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (ndc) 10/12/2006.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



FEE TRANSMITTAL for FY 2006

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number 10/611,621
Filing Date June 30, 2003
First Named Inventor Eric Debes
Examiner Name David H. Malzahn
Art Unit 2193
Attorney Docket No. 42P15769

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☒ Other (please identify): Charge Deposit Account
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) _____

SUBTOTAL (2) (\$) 180.00

SUBMITTED BY

Name (Print/Type)	Daniel M. DeVos	Registration No. (Attorney/Agent)	37,813	Telephone	(408) 720-8300
Signature		Date	07/16/07		

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Our Docket No: 42P15769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/611,621
First Named : Eric Debes
Inventor
Filed : 06-30-2003 Art Unit: 2193
TC/A.U. : Method and Apparatus For
Performing Multiply-Add
Operations On Packed
Data
Examiner : Malzahn, David H.
Docket No. : 42P15769
Customer No. : 45209

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF OTHER PATENTS AND PATENT APPLICATIONS

Examiner:

Applicants want to put the Examiner on notice of the following other patents and patent applications with the same specification or disclosing related subject matter as the above-captioned application:

One Specification	08/521,360, filed 8/31/95, abandoned per a Rule 62 continuation (08/972,214) filed 11/17/97, abandoned
	08/626,697, filed 4/2/96, abandoned per a Rule 62 continuation filed 11/24/97; which is a continuation of 8/521,360, filed 8/31/95, abandoned
One Specification And Same Specification As Above	08/522,067, filed 8/31/95, which issued into U.S. Patent No. 6,385,634
	08/551,196, filed 10/31/95, abandoned; which is a continuation of 08/522,067
	08/960,413, filed 10/29/97, which issued into U.S. Patent No. 5,983,256; which is a continuation of 08/551,196, which itself is a continuation of 08/522,067
	09/989,736, filed 11/19/01, pending; which is a continuation of 08/522,067

Captioned Application	10/861,167, filed 6/4/2004, pending; which is a continuation of 09/989,736, which itself is a continuation of 08/522,067
	08/554,625, filed 11/6/95, which issued into U.S. Patent No. 5,721,892; which is a continuation of 08/521,803, filed 8/31/95, abandoned
	08/699,993, filed 8/20/96, which issued into U.S. Patent No. 5,859,997; which is a continuation of 08/554,625, which itself is a continuation of 08/521,803, filed 8/31/95, abandoned
Continuation-in-Part	08/606,212, filed 2/23/96, which issued into U.S. Patent No. 6,035,316; which is a continuation-in-part of 08/522,067
One Specification	10/610,831, filed 06/30/03, pending; which is a continuation-in-part of 09/952,891, which issued into U.S. Patent No. 7,085,795

Invitation for a telephone interview

The Examiner is invited to call the undersigned at (408) 720-8300 if there are any questions regarding this material.

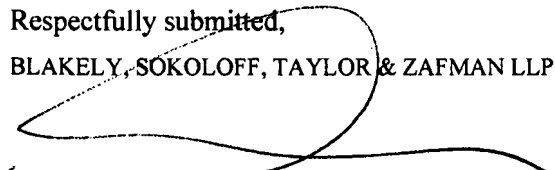
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/16, 2007

12400 Wilshire Boulevard
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Los Angeles, California 90025-1026
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Daniel M. DeVos, Reg. No. 37,813



Our Docket No: 42P15769

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/611,621
First Named : Eric Debes
Inventor :
Filed : 06-30-2003 Art Unit: 2193
TC/A.U. : A Method and Apparatus
For Performing Multiply-
Add Operations On
Packed Data
Examiner : Malzahn, David H.
Docket No. : 42P15769
Customer No. : 45209

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SECOND NOTIFICATION OF RELATED LITIGATION UNDER MPEP § 2001.06 (C)

Examiner:

Applicants previously submitted a first NOTIFICATION OF RELATED LITIGATION UNDER MPEP § 2001.06 (C) (and associated materials) in the above-identified case on 4/27/2007 regarding U.S. Patent No. 6,385,634 (the '634 patent).

Since then, documents including TRANSMETA CORPORATION'S RESPONSES TO INTEL CORPORATION'S FIRST SET OF INTERROGATORIES (NOS. 1-20)¹ ("Transmeta's Responses to Intel's First Interrogatories"), have been filed in the suit. A brief description of this document as it pertains to the '634 patent is provided below.

Response to Interrogatory 13 of Transmeta's Responses to Intel's First Interrogatories identifies art that Transmeta contends "anticipate the '634 patent under 35 U.S.C. § 102 or render the '634 patent obvious under 35 U.S.C. § 103". See e.g., pages 27-28. Art is also identified that Transmeta contends "at least demonstrate the state of the art of the '634 patent". See e.g., pages 28-30.

¹ Listed on the accompanying IDS as: TRANSMETA CORPORATION'S RESPONSES TO INTEL CORPORATION'S FIRST SET OF INTERROGATORIES (NOS. 1-20), In the United States District Court for the District of Delaware, In the matter of Transmeta Corporation v. Intel Corporation, dated May 21, 2007, pages 1-42 (Redacted Version).

About three quarters of the art identified for the '634 patent has already been submitted in the present case. All art that has not yet been submitted is being submitted in the accompanying Information Disclosure Statement (IDS).

Response to Interrogatory 14 of Transmeta's Responses to Intel's First Interrogatories includes an allegation that "[o]ne or more claims of the '634 patent are invalid under 35 U.S.C. Section 112 at least because certain claims are indefinite". See e.g., page 36. In particular, it is alleged that "claim 1 of the '634 patent refers to a 'first packed data' comprising a 'first, second, third, and fourth value' and a 'second packed data' comprising a 'fourth, fifth, sixth, seventh, and eighth value'". It is further alleged that the "repeated use of the term 'fourth' is incomprehensible" and that therefore "the requirements of 35 U.S.C. Section 112 are not satisfied".

There are no allegations of inequitable conduct pertaining to the '634 patent.

Invitation for a telephone interview

The Examiner is invited to call the undersigned at (408) 720-8300 if there are any questions regarding this material.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

~~Daniel M. DeVos, Reg. No. 37,813~~

Date: 7/16, 2007

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Seventh Floor

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(408) 720-8300



Substitute for form 1449A-PTO

Complete if known

Sheet 1 of 2				Attorney Docket No: 42P15769	
INFORMATION BY APPLICANT					
(Use as many sheets as necessary)					
Application Number		Filing Date		First Named Inventor	
10/611,621		June 30, 2003		Peleg, Alexander	
Group Art Unit		Examiner Name		Malzahn, David	

Examiner	Initial	Cite No	USP Document Number	Publication or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
			US-4,761,753	08/02/1988	Izumisawa, Hiroyuki	
			US-5,636,351	06/03/1997	Lee, Ruby B.	
			US-5,712,797	01/27/1998	Descalles, Bernard, et al.	
			US-5,734,874	03/31/1998	Van Hook, Timothy J., et al.	
			US-5,859,997	01/12/1999	Peleg, Alexander, et al.	
			US-5,983,256	11/09/1999	Peleg, Alexander, et al.	
			US-6,035,316	03/07/2000	Peleg, Alexander, et al.	
			US-6,385,634	05/07/2002	Peleg, Alexander D.	
			US-7,085,795	08/01/2005	Debes, Eric, et al.	
			US-4,760,525	07/26/1988	Webb	

Examiner	Initials	Cite No	Foreign Patent Document Country Code/Number/Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
			FR-2563349	10/25/1985	CARLAC, JEAN-CLAUDE, et al.	T ²

FOREIGN PATENT DOCUMENTS

Examiner	Initials	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
			"TRANSMETA CORPORATION'S RESPONSES TO INTEL CORPORATION'S FIRST SET OF INTERROGATORIES (NOS. 1-20)", in the United States District Court for the District of Delaware, in the matter of Transmeta Corporation v. Intel Corporation, (05/21/2007), 42 pages	
			CONVEX COMPUTER CORPORATION, "C4/XA Architecture Overview", Convex Technical Marketing, (Feb. 1994), 279 pages	
			CONVEX COMPUTER CORPORATION, "Convex C3400 Supercomputer System Overview", Revision 2.01, (07/24/1991), 55 pages	
			CONVEX COMPUTER CORPORATION, "Saturn Architecture Specification", (04/29/1993), 88 pages	
			INTEL CORPORATION, "Intel 80386 Programmer's Reference Manual", (1986), 421 pages	
			KOHN, L., et al., "The Visual Instruction Set (VIS) in UltraSPARC", SPARC Technology Business - Sun Microsystems, Inc., (1995), pages 462-469	
			LAMPORT, LESLIE, "Multiple Byte Processing With Full-Word Instructions", ACM, (1975), pages 471-475	
			LAWRENCE LIVERMORE LABORATORY, "S-1 Uniprocessor Architecture", (4/21/1983), 386 pages	
			LAWRENCE LIVERMORE LABORATORY, "Volume I: Architecture - The 1979	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Substitute for form 1449A/PTO	
Complete if known	
INFORMATION BY DISCLOSURE	
(Use as many sheets as necessary)	
STATEMENT BY APPLICANT	
Application Number	10/611,621
Filing Date	June 30, 2003
First Named Inventor	Peleg, Alexander
Group Art Unit	2193
Examiner Name	Malzahn, David
Attorney Docket No: 42P15769	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), volume-issue number(s), publisher, city and/or country where published.
		Annual Report - The S-1 Project", 443 pages
		LAWRENCE LIVERMORE LABORATORY, "Volume II: Architecture - The 1979
		Annual Report - The S-1 Project", 366 pages
		MANFREDLLI, JOHN L., et al., "Signal processing aspects of the S-1 multiprocessor project", SPIE Vo. 241 Real-Time Signal Processing III, (July 1980), pages 224-231
		TEXAS INSTRUMENTS, "TMS320C2X User's Guide", (1993), 4:122
		WIDDOES JR., L. C., "The S-1 Project: Developing High-Performance Digital Computers", IEEE Computer Society, (12/11/1979), pages 1-10

EXAMINER

DATE CONSIDERED